



# HOUSE OF REPRESENTATIVES

SB 1279

empowerment scholarships; expansion; phase-in

Prime Sponsor: Senator Lesko, LD 21

---

**W/D** Committee on Education

**X** Committee on Appropriations

Caucus and COW

House Engrossed

---

## **STRIKE-EVERYTHING SUMMARY**

The strike-everything amendment to SB 1279 expands the definition of *qualified student* under the Empowerment Scholarship Account (ESA) program.

## **PROVISIONS**

1. Modifies the definition of an ESA *qualified student* to include a child who meets the family income eligibility requirements for an [educational scholarship](#), as verified in writing by a school tuition organization (STO).
  - a. Prohibits a child from being enrolled in an ESA and awarded an [educational scholarship](#) in the same educational year.

## **CURRENT LAW**

Laws 2011, Chapter 75, established the ESA program. [A.R.S. § 15-2401](#) defines an ESA qualified student as an Arizona resident who is any of the following:

- Identified as having a disability,
- Attends or is eligible to attend kindergarten at a D or F school or school district,
- A previous scholarship recipient of the ESA program or the Arizona Scholarships for Pupils with Disabilities Program,
- A child whose parent or guardian is a member of the armed forces and on active duty or was killed in the line of duty (these students are exempt from any further requirements for qualification),
- A child who is a ward of the juvenile court, or
- A child who is a sibling of a current or previous ESA recipient.

The qualifying student must also meet at least one of the following requirements:

- Attended a governmental primary or secondary school as a full-time student for at least 100 days of the prior fiscal year and who transferred under a contract to participate in an ESA,
- Previously participated in the ESA program,
- Received a scholarship from a STO and continues to attend a qualified school,
- Was eligible for an Arizona Scholarship for Pupils with Disabilities, or
- Has not previously attended a governmental primary or secondary school but is currently eligible to enroll in a kindergarten or preschool children with disabilities program.

**SB 1279**

Laws 2013, Chapter 250, enacted session law that caps new ESAs through 2019 at 0.5% of the total number of students enrolled in school districts and charters schools during the previous school year.

STOs that receive contributions from a corporation must use at least 90% of those contributions to provide educational scholarships or tuition grants to children whose family income does not exceed 185% of the income limit required to qualify a child for reduced price lunches under the [National School Lunch and Child Nutrition Acts](#) ([A.R.S. § 43-1504](#)).